

MACOMB TOWNSHIP PLANNING COMMISSION  
MINUTES MEETING AND PUBLIC HEARING  
HELD TUESDAY, JANUARY 4<sup>TH</sup>, 2005

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN  
DEAN AUSILIO, VICE-CHAIRMAN  
MICHAEL D. KOEHS, SECRETARY  
MEMBERS: JOA PENZIEN  
ARNOLD THOEL  
DEBORAH ZOLNOSKI

ABSENT: CHARLES OLIVER

ALSO PRESENT: Larry Dloski, Township Attorney  
Jerome R. Schmeiser, Community Planning Consultant  
(Additional attendance on file with Clerk)

Call Meeting to Order

Chairman GALLAGHER called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

1. Roll Call.

Clerk KOEHS called the Roll. Charlie Oliver absent.

*Addition:*

1a. Organizational Meeting to Elect Officers

**MOTION by KOEHS seconded by THOEL to nominate Edward Gallagher as Chairman for the Planning Commission Board.**

**MOTION carried.**

**MOTION by AUSILIO seconded by KOEHS to close the Chairman Nominations for the Planning Commission and elect Edward Gallagher by acclamation.**

**MOTION carried.**

**MOTION by PENZIEN seconded by KOEHS to nominate Dean Ausilio as Vice-Chairman for the Planning Commission.**

**MOTION carried.**

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**MOTION by KOEHS seconded by PENZIEN to close the Vice-Chairman Nominations for the Planning Commission and elect Dean Ausilio by acclamation.**

**MOTION carried.**

2. Approval of Agenda Items. (*With any corrections*)

**MOTION by AUSILIO seconded by PENZIEN to approve the agenda as presented.**

**MOTION carried.**

3. Approval of the December 21, 2004 previous meeting minutes

**MOTION by PENZIEN seconded by AUSILIO to approve the December 21, 2004 previous meeting minutes with the condition that agenda item number 6 be revised correcting the spelling of the petitioner's name from Gordan Wilson to Gordon Wilson as discussed.**

**MOTION carried.**

**AGENDA ITEMS:**

4. **Land Division Variance; Stoneridge Subdivision (106 lots); (Tabled from the November 16, 2004 PC Meeting)** Located on the east side of Fairchild Road ¼ mile north of 21 Mile Road. Dominic Geric, Petitioner. Permanent Parcel No. 08-25-427-009

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda items 4-5 findings and recommendations for approval.

Petitioner Present: Craig Duckwitz of Anderson Eckstein & Westrick

Public Portion: Adjacent property owners addressed their concerns regarding the proposals for agenda items 4 & 5. Further discussion was held regarding developing parcels affected by Conklin Drain. Property owner of Permanent Parcel No. 08-25-427-002 reviewed that he has contacted the developer with an interest to sell a portion of his property and as a result has received no response.

The Members of the Planning Commission, Community Planning Consultant, petitioner and Township Attorney held further discussion and reviewed agenda items 4 & 5.

**MOTION by AUSILIO seconded by PENZIEN to forward a recommendation to the Township Board of Trustees to approve the petitioners request for Stoneridge Subdivision; Permanent Parcel No. 08-25-427-009; to vary Section 17-132 (d) of the**

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**Township Land Division Ordinance eliminating the requirement that stub streets be provided to permanent parcel nos. 08-25-403-001, 08-25-427-006, 08-25-427-007, 08-25-427-008. The request was not granted to eliminate the requirement for permanent parcel no. 08-25-427-002. Further, to forward the recommendation to vary Section 17-132 (d) to grant a variance eliminating the two (2) stub streets required to the parcels to the south.**

**MOTION carried.**

**MOTION by KOEHS seconded by AUSILIO to forward a recommendation to the Township Board of Trustees to approve the petitioners request for Stoneridge Subdivision to vary Section 17-138 (c) of the Township Land Division Ordinance for the long block lengths along the perimeter of the plat. Permanent Parcel No. 08-25-427-009.**

**MOTION carried.**

**MOTION by KOEHS seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the petitioners request to vary Section 17-138 (b) - for both the short block lengths created by the configuration of the detention pond shown on the plat. Permanent Parcel No. 08-25-427-009.**

**These variances will become effective contingent on the Township Board of Trustees approving the amendments to the Township Zoning Ordinance allowing land splits along existing private roads. All motions specifically relating to variance requests for the Stoneridge Subdivision are based on the Planning Consultants recommendations as follows:**

**It is recommended that variances be granted to the petitioner to eliminate the stub streets required by the land division ordinance from the proposed subdivision to the parcels to the south, which contain an Edison Substation and vacant industrial property. It is also recommended that a variance be granted eliminated the stub streets to the five northernmost parcels which front on Renata 08-25-403-001, 08-25-427-006, -007, and -008 and 08-25-427-002. *(The request was not granted to eliminate the requirement for permanent parcel no. 08-25-427-002)***

**It is also recommended that the block lengths that exceed the 1320' maximum length be approved and the block created by lots 56-65 be granted a variance to allow a block of less than 500'. The need for a retention basin limits the length for the block in question.**

**MOTION carried.**

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5. **Tentative Preliminary Plat; Stoneridge Subdivision (106 lots); (Tabled form the November 16, 2004 PC Meeting)** Located on the east side of Fairchild Road ¼ mile north of 21 Mile Road. Stoneridge Development, Petitioner. Permanent Parcel No. 08-25-427-009

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Craig Duckwitz of Anderson Eckstein & Westrick

Public Portion: Refer to comments listed above for agenda item number 4.

**MOTION by AUSILIO seconded by PENZIEN to forward a recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Stoneridge Subdivision (106 lots); pursuant to the recommendations of the Planning Consultant with the condition that the approval be made contingent upon amendment of the plat showing: a stub street to permanent parcel no. 08-25-427-002; the 20' landscape area located along the east property line with proper dimensions; and the show proposed signage in the entrance area including the set back areas and walls in accordance with the Zoning Ordinance. Further the petitioner must provide ½ the costs involved with extending the stub street across permanent parcel no. 08-25-427-002 and ½ the costs involved for the paving of Fairchild Road along the frontage of the subdivision. Permanent Parcel No. 08-25-427-009. This motion is based on the Planning Consultants recommendations as follows:**

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
  - a. Macomb County Road Commission
  - b. Office of Public Works Commission of Macomb County
  - c. Macomb County Health Department
  - d. Macomb County Planning Commission
  - e. Michigan Department of Environmental Quality
  - f. All public utility companies affected.
  - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. The Township Engineer approve all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.

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4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval be met.
5. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.
6. **Flood Plan Map Amendments and or Requirements.** Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
7. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
8. That a bond in the amount to be determined by the Township Engineer based upon estimates submitted by the landscape architect for the proprietor be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
9. That the tentative preliminary approval expires one year from the date of Township Board approval. If is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.
10. All street names must be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. Therefore, the petitioner shall submit 2 copies of the plat to the Supervisor's Office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
11. That the petitioner submits two (2) copies of the restrictive covenants that will be recorded with the plat. Said covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.

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**We would offer that, if the Tentative Preliminary Plat is approved as proposed and the proprietor and the owner of 08-25-427-002 agree on the sale of land for a connection, that the Final Preliminary Plat for the subject plat be approved subject to engineering conditions involving a possible stub street to the north.**

**MOTION carried.**

6. **Site Plan; Waterstone Office Center;** Located on the east side of Card Road approximately 456' north of Hall Road. Sterling North LLC, Petitioner. Permanent Parcel No. 08-35-300-007 & 008

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Antonio Cavaliere

Mr. Cavaliere held further discussion with the Members of the Board, Community Planning Consultant and Township Attorney concerning parking requirements. Mr. Cavaliere indicated that the second story of the proposed building is intended for storage and mechanical space use.

Larry Dloski, Township Attorney, reviewed the procedures involved with seeking a variance from the Zoning Board of Appeals relating to the use of the second story of the proposed building. After due consideration the petitioner requested that the matter be tabled indefinitely for further research.

**MOTION by AUSILIO seconded by PENZIEN to table indefinitely at the petitioners request the Site Plan; Waterstone Office Center. Permanent Parcel No. 08-35-300-007 & 008.**

**MOTION carried.**

7. **Ground Sign; Rauhorn Electric;** Located on the north side of 23 Mile Road and west of Regency Drive. Delbert J. Rau, Petitioner. Permanent Parcel No. 08-17-300-002

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Delbert J. Rau

Public Portion: None

**MOTION by KOEHS seconded by ZOLNOSKI to approve the Ground Sign; Rauhorn Electric with the condition that the traffic light on the sign may be lit, but**

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**non-functional; Permanent Parcel No. 08-17-300-002. This motion is based on the Planning Consultants recommendations as follows:**

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the surface area of one side of the sign be limited to 32 square feet, be no more than 5 feet high and setback a minimum of 15 feet.
3. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.
4. That the traffic light on the sign may be lit, but non-functional.

**MOTION carried.**

**NEW BUSINESS:**

8. Request to recommend an amendment to the Township Zoning Ordinance to allow land splits along existing private roads.

This item was placed on this agenda for the purpose of scheduling a public hearing date.

**MOTION by KOEHS seconded by AUSILIO to schedule February 1, 2005 as the Public Hearing date to review the amendments to the Township Zoning Ordinance allowing land splits along existing private roads.**

**MOTION carried.**

9. Motion to receive and file all correspondence in connection with this agenda.

**MOTION by AUSILIO seconded by PENZIEN to receive and file all correspondence in connection with this agenda.**

**MOTION carried.**

**PLANNING CONSULTANTS COMMENTS:** None

**PLANNING COMMISSION COMMENTS:** None

**ADJOURNMENT:**

**MOTION by AUSILIO seconded by KOEHS to adjourn the meeting at 9:07 P.M.**

**MOTION carried.**

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Respectfully submitted,

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Edward Gallagher, Chairman

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Michael D. Koehs, CMC  
Macomb Township Clerk  
MDK/gmb